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5 Counsel for Defendant RINEHART

7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
9 SAN JOSE DIVISION

10 UNITED STATES OF AMERICA,) No. CR 12-00853 LHK
11)
11 Plaintiff,) STIPULATION AND [PROPOSED]
12) ORDER CONTINUING HEARING DATE
12 vs.) AND EXCLUDING TIME UNDER THE
13) SPEEDY TRIAL ACT
13 ROBERT RINEHART,)
14)
14 Defendant.)
15)

16 The defendant, Robert Rinehart, represented by Assistant Federal Public Defender Diana
17 A. Garrido, and the government, represented by Assistant United States Attorney Jeffrey B.
18 Schenk, hereby stipulate that, with the Court's approval, the status conference currently set for
19 Wednesday, April 17, 2013 at 9:00 a.m., shall be continued to Wednesday, June 5, 2013 at 9:00
20 a.m.

21 The continuance is requested to provide both defense counsel and the government with
22 additional time to review discovery and to negotiate an appropriate resolution. The continuance
23 would provide both parties with the reasonable time necessary for effective preparation. Further,
24 defense counsel is unavailable until June because she has been selected as an alternate juror in a
25 six week trial commencing April 16, 2013 in San Francisco. Accordingly, both parties
26 respectfully request that the time between April 17, 2013 and June 5, 2013 be excluded under the

Stipulation and [Proposed] Order

1 Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv).

2 Dated: April 15, 2013

3 STEVEN G. KALAR
4 Federal Public Defender

5 /s/
6 DIANA A. GARRIDO
7 Assistant Federal Public Defender

8 Dated: April 15, 2013

9 MELINDA HAAG
10 United States Attorney

11 /s/
12 JEFFREY B. SCHENK
13 Assistant United States Attorney

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1 **[PROPOSED] ORDER**

2 Pursuant to agreement and stipulation of the parties, the Court HEREBY ORDERS that
3 the status conference set for April 17, 2013 be continued to June 5, 2013. The Court FURTHER
4 ORDERS that the time between April 17, 2013 and June 5, 2013 is excluded under the Speedy
5 Trial Act, 18 U.S.C. §3161. The Court finds, pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv),
6 that the failure to grant the requested continuance would unreasonably deny counsel reasonable
7 time necessary for effective preparation, taking into account the exercise of due diligence.
8 Furthermore, the Court finds that the ends of justice served by granting the requested continuance
9 outweigh the best interest of the public and the defendant in a speedy trial. The Court therefore
10 concludes that this exclusion of time should be made under 18 U.S.C. §§ 3161(h)(7)(A) and
11 (B)(iv).

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13 IT IS SO ORDERED.

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15 DATED: 4/15/13


16 THE HONORABLE LUCY H. KOH
17 United States District Judge

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